

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ORCHARD MANOR ALP, LLC d/b/a  
ORCHARD MANOR REHABILITATION  
& NURSING CENTER  
Employer

and

Case 03-RC-110739

CSEA, LOCAL 1000, AFSCME, AFL-CIO  
Petitioner

ORDER

On December 15, 2014, the National Labor Relations Board issued an unpublished Decision and Certification of Representative in the above-titled proceeding, which considered objections to an election held September 19, 2013, adopted the Hearing Officer's findings and recommendations, and found that a certification of representative should be issued to the Petitioner. Thereafter, on January 23, 2015, the Employer filed a Request to amend the certification. The Petitioner filed a response.

The Board, having considered the matter, denies the Employer's request.<sup>1</sup>

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER

Dated, Washington, D.C., April 30, 2015.

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<sup>1</sup> The parties' stipulated election agreement reflected their agreement, prior to the election, that "[s]hould it become necessary to clarify the bargaining unit following the election, Petitioner will file a Unit Clarification Petition in order to determine whether [the LPN Medication Nurse] classification should be included in the bargaining unit." The parties' agreement regarding a potential post-certification unit clarification petition does not warrant amending the unit certification. But the Petitioner, in its opposition to the request to amend the certification, states that "[i]n light of the position taken by Orchard Manor ALP, CSEA is prepared to file a Unit Clarification Petition to resolve the alleged dispute." The certification will be amended, if appropriate, based on the outcome of that proceeding.